1716

The CASE of *Hugh Speke*, Esq; and Family, viz.

BIBLIOTHECA

Imprimis. THAT in the [illegible] King *Charles* the Second, *Hugh Speke* was taken up for a Letter written to Sir *Robert Atkins*, afterwards Lord Chief Baron in King *William*'s Reign (concerning the Death of the then Earl of *Essex* in the *Tower*) and was kept 18 Weeks in Custody of a Messenger with a Guard of two Soldiers on him day and night: That in *Michaelmas* Term following he gave Bail in the Court of *Kings-Bench* for his Appearance.

THAT within five Days after he had so given Bail, he was arrested in his Bar-Gown at *Westminster-Hall Gate* in an Action of *Scandalum Magnatum* for 100000 *l.* at the Suit of the then Duke of *York*, and so immediately carried from thence to the *Gate-house* Prison, the Defence of which malicious Action cost him above 1000 *l.*

THAT for the said Letter written to Sir *Robert Atkins* concerning the said Earl of *Essex*'s Death, *Hugh Speke* was try'd before the Lord Chief Justice *Jefferies*, and was thereon most illegally and arbitrarily fined 1000 *l.* and to find Sureties for his good Behaviour, on which Account he lay above four Years a Prisoner before he could obtain his Liberty otherwise than is hereafter mentioned.

THAT *Charles Speke*, his younger Brother, had an Office in the Law, and Chambers in *Lincolns-Inn* which cost him a considerable Sum of Money, and was *Philizar* for the Counties of *Devon*, *Dorset*, *Somerset*, *Bristol*, and *Pool*, which is an Office in the Law for Term of Life, who was seized and sent to Prison under Pretence of aiding and assisting the late Duke of *Monmouth*, and soon after his Seizure the then Lord *Jefferies* begg'd a Grant of his said Office of King *James*, and to make sure of his said Office, try'd, condemn'd, and had him executed; and by his Attainder his Office and Chambers became forfeited: But in the Beginning of King *William*'s Reign his Attainder was revers'd before the then Lord Chief Justice *Holt*, on which said Reversal the said *Charles*'s Innocence plainly and clearly appeared, yet no Satisfaction was ever made for his said Office or Chambers.

THAT

THAT *George Speke*, the Father of *Hugh Speke*, was tryed at *Wells* Summer-Assizes in 1686. before the then Baron *Jennour* on Pretence of a Riot for rescuing his Son in Law from a Messenger that came at Midnight to his House to apprehend him on a Warrant from the then Secretary of State, yet the said *George* was not fined at *Wells* Assizes after his said Tryal, but the same was respited till *Michaelmas* Term following, till King *James*'s Pleasure was made known thereon to the Judges, and then the Lord Chief Justice *Wright* fined him two thousand Marks, and also to find Sureties for his good Behaviour during Life.

THAT the Fines of the said *George* and *Hugh Speke* were both but *two thousand three hundred twenty seven Pounds six Shillings and eight Pence*; yet King *James* demanded, and most unjustly extorted *five thousand Pounds* for his said Pardon, which said Sum was accordingly paid into the Exchequer, and which was 2672*l.* 13*s.* 4*d.* more than both the said Fines amounted to.

THAT the said 5000*l.* so paid into the *Exchequer* was appropriated by King *James* himself to be laid out on the Garrison and Fortifications of *Portsmouth*, and so accordingly the said Mony was laid out thereon, and that his present Majesty King *George* and Government hath the same Benefit and Advantage thereof in every [illegible]

as either King *James*, King *William* or Queen *Anne* had.

THAT the ſaid Fines were not only illegally and arbitrarily impoſed, to gratifie King *James*'s Will and Pleaſure, but was done with a farther Deſign, which ſoon after perfectly appear'd, to force a Compliance to King *James*'s unjuſt Demands; for when *Hugh Speke* had given Notice to pay the ſaid illegal Fines of 2327 *l.* 6 *s.* 8 *d.* ſuch Demands were made of very extraordinary Sureties of the Penalty of 10000 *l.* for his Behaviour, and for the like in 20000 *l.* for his ſaid Father during Life; ſo that rather than to endanger their Friends under ſuch great Penalties, was compelled at laſt to comply with King *James*'s moſt unjuſt Demands of having *Five thouſand Pounds*, and eſpecially ſeeing King *James* did at the ſame time give his Royal Word and Promiſe to repay the ſaid 5000 *l.* with all the Charges, Expences and Intereſt thereof in 2 Years time, in caſe he found *Hugh Speke* and Family did not do any thing to oppoſe or diſſerve his Intereſt, as he was pleaſed then to expreſs himſelf, and therefore did appropriate the ſaid *Five thouſand Pounds* to the aforeſaid Uſe, in order to Repay the ſame, purſuant to his Royal Word and Promiſe.

Which particular Caſe is without any Paralel or Precedent, for any Prince whatever, to demand Money himſelf for his Pardon, and eſpecially as

THAT *Hugh Speke* having petitioned her late Majeſty hereon, She referred the ſame to the late Earl of *Godolphin*, then Lord High Treaſurer, who made her late Majeſty the annexed Report confirming the ſame.

A True COPY of the late Earl of *Godolphin*'s REPORT on your Petitioner's CASE, *viz.*

May it pleaſe Your Majeſty,

IN *Obedience to Your Majeſty's Commands, ſignified to me by Sir* Charles Hedges, *Knight, one of your Majeſty's Principal Secretaries of State, upon the annex'd Petition of* Hugh Speke; *I have conſider'd the ſaid Petition, and for the better informing of my ſelf of the Petitioner's Caſe, have refer'd the ſame to* William Borret, *Eſq; Sollicitor for the Affairs of the Treaſury, who having Examin'd the Petitioner's ſeveral Allegations, hath made his Report to me thereupon, by which I find the Matters of Fact contain'd in the Petitioner's Caſe are True, and that he hath been a great Sufferer; and that there was Five Thouſand Pounds paid into the Exchequer of Your Majeſty's Late Royal Father, for his and others Pardons, tho' the Two* FINES *of the* PETITIONER *and his Father were both but Two Thouſand Three Hundred Twenty ſeven Pounds, Six Shillings, and Eight Pence: And that there was not any Proſecution againſt either of the other Three Perſons* (viz.) Mary Speke, John Speke, *and* Mary Jennings, *included in the ſaid Pardon; ſo that it appears to me by Mr.* Borret's *Report, the*

there was paid the Sum of Two Thouſand, Six Hundred, Seventy Two Pounds. Thirteen Shillings, and Four Pence, more than both their ſaid Two Fines amounted to: And I am of Opinion the Petitioner is become a real Object of Compaſſion.

Humbly ſubmitting the ſame to Your Majeſty's Great Wiſdom.

Dated at the *Treaſury-Chamber*, the 26*th* of *May*, 1703.

Godolphin.

Which Report was Read to Her Majeſty at Windſor, *by Sir* Charles Hedges, *at a Cabinet Counſel held there, on* Sunday *the* 26*th Day of* June, 1703.

An Abſtract of the Caſe, viz.

May the 22*d*, 1688.

	l.
THEN and before, at three preceding Payments paid into the Exchequer, the Sum of Five Thouſand Pounds.	5000

Which ſaid Sum of Money was applied and laid out on the Publick Service of his Majeſty's Kingdom; the Effects and Benefit whereof his Preſent Majeſty and Government now enjoys as much in every Reſpect as either King *James*, King *William*, or Queen *Anne* did.

	l.
From the 22*d* day of *May* 1688, to the 22*d* of *May* 1716, is 28 years, which at 6 *l. per Cent.* is 300 *l. per Ann.* ſo the very Intereſt thereof for the 28 years comes to Eight thouſand Four hundred Pounds.	8400

	l.
The Prineipal and Intereſt thereof at 6 *l. per Cent. per Ann.* came to on the 22*d* of *May* 1716. the Sum of Thirteen Thouſand Four Hundred Pounds.	13400

During the late Reign of Queen *Anne*, whilſt the Lords *Godolphin* and *Oxford* were Lords Treaſurers, the ſaid *Hugh Speke* receiv'd from time to

time, ſeveral ſmall Sums not exceeding 415 *l.* in the whole towards his Support, thereby only owning the Juſtice of his Claim, purſuant to the ſaid Report; but was told then, that he muſt not expect Satisfaction or Relief therein till a Peace; but hopes that theſe Sufferings under a Popiſh and Arbitrary Reign, may now in a Proteſtant Reign in time of Peace be duly conſidered by this Honourable Houſe of Commons for his Relief therein.

The Reaſons why the ſaid *Hugh Speke* was not relieved in King *William*'s Reign, are far too tedious to inſert herein, as well as his other vaſt Loſſes and Sufferings, but ſhall be laid before a Committee, together with his Services before and on the happy Revolution.

The Incident Charges of Obtaining and Paſſing the Pardon and Entring Satisfaction on Record, as to his Father's, and his Fine, came to no ſmall Sum, in thoſe very Extraordinary Times; beſides the ſaid Five Thouſand Pounds paid, as herein before ſet forth.

January 1716.